

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No 729 of 1997

in

SPECIAL CIVIL APPLICATION No 2204 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE C.K.THAKKER
and
MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?
1 TO 5 -NO

SHYAM TRADERS

Versus

RAJULA NAGARPALIKA

Appearance:

1. LETTERS PATENT APPEAL No. 729 of 1997
MR ARUN H MEHTA for Petitioner
MR KT DAVE for Respondent No. 1
SERVED BY DS for Respondent No. 2

CORAM : MR.JUSTICE C.K.THAKKER and

MISS JUSTICE R.M.DOSHIT

Date of decision: 09/10/97

ORAL JUDGEMENT

This appeal is filed against an order passed by the learned Single Judge in Special Civil Application No. 2204 of 1997, decided on July 4, 1997. At that time. an appeal filed by the Municipality was pending before the Director of Municipalitie., An interesting point was raised by the learned counsel for the appellant regarding his locus standi for filing an appeal. But now, the appeal has already been decided. In our view, therefore, it may not be necessary to entertain this Letters Patent Appeal and to go into a larger question, which has by now has become more or less academic.

Mr. A.H.Mehta, learned counsel for the appellant contended that the observations made by the learned Single Judge may be said to be laying down law on the point. We may say that in peculiar facts and circumstances of the case, those observations were then made and they must be read in the light of the order made by the learned Single Judge at that time. No further discussion is necessary. Hence, without observing anything on merits, we dismiss this Appeal. No order as to costs.

JOSHI